

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

PATRICIA KAMMEYER, et al. : CASE NO.: C-1-01-649

Plaintiffs, : Judge Spiegel

vs. :

CITY OF SHARONVILLE, OHIO, et al. : **JOINT NOTICE OF DEFENDANTS
OF INTENT TO RESPOND TO
PLAINTIFFS' EMERGENCY NOTICE**

Defendants. :

On November 28, 2005, Plaintiffs, through their trial counsel filed an Emergency Motion To Dismiss State Law Claims Against Defendants Only To The Extent Such Claims Accrued On Or After April 9, 2003 (“Motion”). The Motion is a transparent and inappropriate attempt to prevent Defendants from exercising their right to an immediate appeal if this Court should deny their pending motions for summary judgment.

Defendants hereby provide notice that they intend to respond to the Motion in the time permitted by the rules (i.e. by December 22, 2005) or, if necessary, to file a motion by which they seek an extension of time to file their response.

Respectfully submitted,

s/Brian E. Hurley

Brian E. Hurley (0007827)

Robert J. Gehring (0019329)

Crabbe, Brown & James LLP

Attorneys For Defendant William Nuss

30 Garfield Place, Suite 740

Cincinnati, Ohio 45202-4359

(513) 784-1525 - telephone

(513) 784-1250 - facsimile

Bhurley@cbjlawyers.com

Rgehring@cblawyers.com

s/Randolph H. Freking

Randolph H. Freking, Esq. 0009158
Freking & Betz
Counsel For Defendant Cramer
215 East Ninth Street, 5th Floor
Cincinnati, Ohio 45202
(513) 721-1975 - telephone
(513) 651-2570 - facsimile
email: rfreking@frekingandbetz.com

s/Lawrence E. Barbriere

Lawrence E. Barbriere, Esq. 0027106
Schroeder, Maundrell, Barbriere & Powers
Counsel For Defendants Schappa and City
of Sharonville
119 Mason Road, Suite 110
Cincinnati, Ohio 45249-3703
(513) 583-4210 - telephone
(513) 583-4203 - facsimile
email: lbarbriere@schroederlaw.com

s/Thomas T. Keating

Thomas T. Keating, Esq. (0011359)
Keating, Richie & Swick
Counsel For Defendants Schappa and City
of Sharonville
8050 Hosbrook, Suite 200
Cincinnati, Ohio 45236
(513) 891-1530 - telephone
(513) 891-1537 - facsimile
tkeating@krslawyers.com

CERTIFICATE OF SERVICE

I hereby certify that on December 6, 2005, a copy of the forgoing was filed electronically. Notice of this filing will be sent to all registered parties by operation of the Court's electronic filing system. Parties may access this filing through the Court's system.

s/Brian E. Hurley

Brian E. Hurley